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UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST, Plaintiff v. MOTOROLA, INC., a Delaware Corporation; and DOES 1 – 100, Defendants.	Case No. 08cv136 BTM CAB **PLAINTIFF'S NOTICE OF MOTION AND MOTION TO MODIFY PATENT LOCAL RULES SCHEDULE TO ACCELERATE IDENTIFICATION OF CLAIMED INVALIDATING PRIOR ART** Date: June 20, 2008 Time: 11:00 a.m. Hon. Barry T. Moskowitz NO ORAL ARGUMENTS UNLESS ORDERED BY THE COURT

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TO ALL PARTIES HEREIN AND THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that on the date and time listed above, or as soon thereafter as the matter may be heard, before the Honorable Barry Ted Moskowitz, Plaintiff JENS E. SORENSEN, as TRUSTEE OF THE SORENSEN RESEARCH AND DEVELOPMENT TRUST, hereby moves the Court to modify patent local rules schedule to accelerate identification of claimed invalidating prior art. The motion is based on the following grounds:

1. The stays pending PTO reexamination of the subject ‘184 patent have been based on the expectation that the Court is shifting the patent validity issue to the PTO so that all prior art presented to the Court will have been first considered by the PTO.

2. The Court’s expectation cannot be met if the other defendants asserting invalidity of the ‘184 patent due to invalidating prior art do not identify that prior art in time for it to be considered by the PTO during the pending reexaminations.

This motion is based upon this Notice, and the concurrently filed documents in support thereof: Memorandum of Points and Authorities; and Declaration of Melody Kramer.

RESPECTFULLY SUBMITTED this Friday, April 04, 2008.

JENS ERIK SORENSEN, as Trustee of
SORENSEN RESEARCH AND DEVELOPMENT TRUST, Plaintiff

/s/ Melody A. Kramer

Melody A. Kramer, Esq.
J. Michael Kaler, Esq.
Attorneys for Plaintiff

PROOF OF SERVICE

I, Melody A. Kramer, declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121.

On Friday, April 04, 2008, 2008, I served the following documents:

PLAINTIFF'S NOTICE OF MOTION AND MOTION TO MODIFY PATENT LOCAL RULES SCHEDULE TO ACCELERATE IDENTIFICATION OF CLAIMED INVALIDATING PRIOR ART

DECLARATION OF MELODY A. KRAMER IN SUPPORT OF PLAINTIFF'S MOTION TO MODIFY PATENT LOCAL RULES SCHEDULE TO ACCELERATE IDENTIFICATION OF CLAIMED INVALIDATING PRIOR ART

MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION TO MODIFY PATENT LOCAL RULES SCHEDULE TO ACCELERATE IDENTIFICATION OF CLAIMED INVALIDATING PRIOR ART

PERSON(S) SERVED	PARTY(IES) SERVED	METHOD OF SERVICE
RACHEL M. CAPOCCIA Hogan & Hartson L.L.P. 1999 Avenue of the Stars, Suite 1400 Los Angeles, California 90067 rmcapoccia@hhlaw.com	Motorola, Inc.	Email--Pleadings Filed with the Court via CM/ECF
Erik J. Lobenfeld Hogan & Hartson LLP 875 Third Avenue New York, NY 10022	Motorola, Inc.	Email--Pleadings Filed with the Court via CM/ECF

☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.

☐ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.

☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error.

☐ (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.

☒ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed this document via the CM/ECF system for the United States District Court for the Southern District of California.

☐ (U.S. Mail) I mailed a true copy of the foregoing documents to a mail address represented to be the correct mail address for the above noted addressee.

I declare that the foregoing is true and correct, and that this declaration was executed on Friday, April 04, 2008, in San Diego, California.

/s./ Melody A. Kramer

Melody A. Kramer